

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Marcos Langoria Thomas, Sr.,

Case No. 3:16-cv-2354

Plaintiff

v.

MEMORANDUM OPINION

Toledo Correctional Facility,  
Mental Health Department, et al.,

Defendants.

On September 23, 2016, plaintiff *pro se* Marcos Langoria Thomas, Sr., an inmate at the Toledo Correctional Institution, filed this civil rights action against the following defendants: Toledo Correctional Facility, Mental Health Department; Anderson; McIntyre; Ms. Rhinna; Ms. Davenport; Ms. Jalinski, Henderson, Deputy Warden Health Administrator; Mr. Hertua, D.R.C.; and, Gary Mohr, Central Office Director. Plaintiff's complaint is short and difficult to understand, but his primary allegation is that defendants "placed on a Brainwave Reading Device where my thoughts were and still are being detected by several Correction Officers who were placed in the B/South unit outside booth." For the reasons stated below, this action is dismissed pursuant to 28 U.S.C. § 1915A.

A district court is expressly required to dismiss any civil action filed by a prisoner seeking relief from a governmental officer or entity, as soon as possible after docketing, if the court concludes that the complaint is frivolous or fails to state a claim upon which relief may be granted, or if the plaintiff seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C.

§1915A; *Siller v. Dean*, No. 99-5323, 2000 WL 145167 , at \*2 (6th Cir. Feb. 1, 2000).

A finding of frivolousness is appropriate "when the facts alleged rise to the level of the irrational or wholly incredible ..." *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). Even liberally construed, the complaint does not set forth allegations suggesting plaintiff might have a valid federal claim against defendants.

Accordingly, this action is dismissed under section 1915A. I certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

So ordered.

s/ Jeffrey J. Helmick  
United States District Judge